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ABSTRACT

LeMoyne College's 1972 faculty handbook first defines the teaching faculty (those with either full faculty status or adjunct faculty status) and then presents the policies and procedures with regard to academic rank, faculty responsibilities, promotion and tenure, regulations on academic freedom and tenure, faculty employment conditions and benefits, and academic regulations and guidelines. Specific areas covered include: committee on rank and tenure; terms of appointment; termination and dismissal procedures; suspensions; leaves of absences; salaries; welfare and retirement; examinations and grading; class admittance and student absences. Appendices are included on the Constitution of the Academic Council, Constitution of the Student Life Council, and the Constitution of the Right of Demonstration, Assembly and Protest. (LBH)

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FACULTY HANDBOOK

Le Moyne College

Syracuse, New York

1972

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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This edition of the Faculty Handbook of Le Moyne College was approved by the Board of Trustees on February 17, 1972.

William L. Reilly S.J.
President

March 1, 1972

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I. THE TEACHING FACULTY

The teaching faculty of Le Moyne College is made up of those persons who have received an appointment to either full faculty status or adjunct faculty status at the College. Appointments to full faculty status are made by the President of the College; appointments to adjunct faculty status are made by the Academic Dean, when explicitly delegated by the President, provided that the conditions of the appointment are stated and agreed to in writing.

Full faculty status is conferred upon those who are appointed to the rank of Instructor, Assistant Professor, Associate Professor, or Professor. Members of the Le Moyne College teaching faculty who hold full faculty status are eligible for tenure according to the norms and procedures set forth in this Handbook; they are also entitled to participate in general faculty meetings and meetings of their department, and in each case to take part in any vote called for by the chairman of the meeting. Those with full faculty status also possess the right to vote for, and be elected as, teaching faculty representatives to the Academic Council and Student Life Council, in accordance with the Constitutions and By-laws of the respective Council.

Adjunct faculty status is conferred upon those who are appointed to teach at Le Moyne College, but who are not given full faculty status as defined above. The appointments of those holding adjunct faculty status are temporary, usually for a term of two semesters, although they may be renewed. A faculty member with adjunct faculty status may be appointed to serve on either a full-time or part-time basis; in either case he will be assigned by the Academic Dean an interpretative rank based on his professional qualifications. Those who hold adjunct faculty status are not eligible for tenure at the College. They are entitled, and expected, to participate in general faculty meetings, and in meetings of their respective departments.

II. ACADEMIC RANK: NORMS OF APPOINTMENT AND PROMOTION

A. Instructor

Appointment to the rank of Instructor is made on the basis of the following qualifications:

1. Possession of a Master's degree or an equivalent professional degree.
2. Previous teaching experience or presumed teaching ability.
3. A commitment to professional advancement.
4. Possession of a good character and an ability to relate to students and colleagues, as well as the degree of competence normally expected in a teacher, director of students, and serious scholar.

B. Assistant Professor

Appointment to this rank, or promotion from the rank of Instructor requires:

1. Possession of a Doctorate or equivalent terminal degree.

2. Previous teaching experience which has been adjudged satisfactory, or presumed teaching ability.

3. Evidence of commitment to professional advancement.

4. Possession of a good character and an ability to relate to students and colleagues, as well as the degree of competence normally expected in a teacher, director of students, and serious scholar.

5. In the case of promotion, evidence of satisfactory performance of assigned non-teaching responsibilities.

C. Associate Professor

Appointment to this rank or promotion from the rank of Assistant Professor requires:

1. Possession of a doctorate or equivalent professional degree.

2. A minimum of four years' experience as an Assistant Professor.

3. Evidence of recognition by colleagues in the same field of scholarship.

4. Contributions to the advancement of knowledge, either through publications, research projects, or similar professional activity in the individual's major field.

5. Demonstration of a high degree of competence in teaching.

6. Possession of a good character and an ability to relate to students and colleagues, as well as the degree of competence normally expected in a teacher, director of students, and serious scholar.

D. Professor

Promotion to the rank of Professor requires:

1. Possession of the earned doctorate or equivalent terminal degree.

2. A minimum of four years' experience as an Associate Professor.

3. A minimum of ten years' total teaching experience in a college or university.

4. Outstanding teaching ability.

5. General recognition among scholars and educators.

6. Publication of books, articles in recognized journals, monographs, or similar published evidence of scholarly work, since acceding to the rank of Associate Professor.

7. Participation in the activities of learned societies.

8. Mature possession of the personal qualities mentioned above and general respect in the College community for past accomplishments and professional stature.

E. Professor Emeritus

A former member of the faculty who has retired from full-time teaching may be given a special life-time appointment as Professor Emeritus by the President of the College after being recommended for this rank by the Committee on Rank and Tenure.

F. Exceptions to the Stated Norms of Appointment and Promotion

1. Although the norms for the various ranks require the actual possession of the appropriate academic degree, allowance is hereby made for specific instances of individuals who have achieved an extraordinary level of competence in a particular field of endeavor, as manifested by general public recognition of their accomplishments. These individuals might be musicians, artists, poets, novelists, playwrights, statesmen, etc. Upon the recommendation of the Rank and Tenure Committee, the degree requirement may be waived in order to permit the appointment or promotion of such an individual to a faculty position in the College.

2. The promotion of an individual from the rank of Instructor to that of Assistant Professor may be made at the end of four years of service as Instructor, even though the requirement of the doctoral degree has not been met. However, before such action is taken, the Rank and Tenure Committee must obtain firm and substantial evidence that reasonable and solid progress has been made in the acquisition of the degree, and that the requirement will be met within an acceptable period of time.

3. In the case where there is a practical impossibility that an individual faculty member will be able to proceed to a doctorate or equivalent terminal degree because of definite and sound reasons, promotion to the rank of Associate Professor is allowable, under these two conditions: first, the reasons given for making this exception must be subject to investigation by the Rank and Tenure Committee, and, second, such a promotion may be made only after the individual has completed twice the ordinary time in rank. This exception is allowed only for faculty members who have demonstrated exceptional merit in the College's educational program and whose service to the College has been completely satisfactory in other respects. This exception is furthermore subject to approval by the Board of Trustees.

4. Since it is generally recognized that the publication of scholarly work is the highest proof of professional competence, no promotion to the rank of Professor will be made in the absence of such publication

However, in exceptional cases, outstanding service to the College that inhibits publication by an individual with a proven capability for the same, may be deemed partial fulfillment of the requirement of scholarly publication for promotion to this highest rank.

G. Teaching Experience

Years of service in full-time teaching at other institutions will be evaluated and taken into account at the time of initial appointment to the faculty of the College.

III. RESPONSIBILITIES OF FACULTY

Appointment to the Le Moyne College faculty constitutes one as an officially recognized member of a distinguished profession and imposes corresponding professional responsibilities. As a faculty member, the individual should regard himself not only as responsible to the College, but in a true sense responsible for the well-being of the College and of his profession.

As an academician, the faculty member's principal task lies in the discovery, organization and communication of truth. He is encouraged to participate consistently in significant scholarly research worthy of publication and to take an active part in the meetings of learned societies and educational organizations. As a teacher, his principal concern should be to stimulate effective participation by his students in the learning process to the full measure of their abilities. In exercising this concern he should spontaneously recognize each student's right to fair treatment as well as the importance of an atmosphere conducive to the learning process. As a member of Le Moyne College he should actively promote and defend the academic and human values the College stands for.

More specifically, the responsibilities of individuals holding full faculty status include:

1. Satisfactory fulfillment of teaching duties in assigned courses or their equivalents.

2. Observance of academic regulations concerning course schedules, examinations, cancellation of classes, grading, etc.

3. The preparation, proctoring and correcting of student examinations, the direction and evaluation of student papers, reports and projects.

4. The regular academic counseling and guidance of students. The faculty member is expected to publish conveniently adequate office hours and to be familiar with the academic regulations and curriculum of the College.

5. Participation in official College and Departmental functions.

6. Service on Department and College committees.

7. Cooperation with administrative officers in the execution of pertinent College regulations.

8. The maximum teaching obligations of full-time faculty shall not exceed twelve lecture hours weekly each semester. If one holds any other remunerative position elsewhere, educational or other, during the weeks of active teaching and examinations, he does so only with the written permission of the President of the College.

9. Though membership on the faculty in no way derogates from one's right of reasonable dissent as a citizen or as an autonomous person in a community of scholars, the manner of exercising this right is expected to be appropriate to the dignity of one's own and his colleagues' profession, and consonant with the ideals of reasonable resolution of differences. Faculty members therefore are subject to College policies and sanctions regulating the right of demonstration and the maintenance of public order, as contained in Appendix C of this Handbook.

Responsibilities of adjunct teaching faculty include all of the above, except numbers 6 and 8.

IV. PROMOTION AND TENURE: POLICY AND PROCEDURES

The promotion of a faculty member to a higher rank is made by the President of the College. Tenure is conferred upon a faculty member by the President of the College upon authorization of the Board of Trustees.

A. Committee on Rank and Tenure

The Committee on Rank and Tenure shall consist of seven tenured members of the full-time teaching faculty, who hold the rank of Associate Professor or full Professor. At least four of the membership shall hold the rank of full Professor. Members will serve for one-year terms, indefinitely renewable. Terms shall extend from July 1st to June 30th.

By May 1st of each year the President of the College will appoint from the rank of full Professor the Chairman and the Secretary of the Rank and Tenure Committee for the coming yearly term of office. Then, all faculty members holding the rank of Professor will elect from their own rank two members to the Committee. Finally, before Commencement the Academic Council will elect three additional individuals to complete the membership.

In making their selections for membership, the Academic Council and Professors shall exercise due regard to insure that at least the broad areas of Humanities, Physical Sciences and Social Sciences are each represented on the Committee. If necessary in individual cases, upon recommendation of the Rank and Tenure Committee, an additional voting member who is knowledgeable in the applicant's academic field may be appointed to the Committee by the President.

B. Norms for Granting Tenure

The two basic considerations which shall guide all decisions to confer tenure are the qualifications of the faculty applicant and the needs of the College.

Conferral of tenure by the Trustees of the College should be regarded as an acknowledgement of outstanding qualifications in terms of educational background, teaching effectiveness, service to the College and proven potential for research publication. These qualifications will be estimated not only as reflected in past achievements but also with a view to continued and even increased contribution in the future.

Since academic tenure guarantees, under ordinary circumstances, continuous appointment of a faculty member until he reaches the age of retirement, its conferral must be consonant with the needs and future plans of the department and College. These needs include the overall distribution of faculty by rank and field of specialization, the prospective development of the curriculum, and desirable emphases in particular fields of specialization.

C. Notification of Tenure

Before June 30th of the sixth year of full-time service including full-time faculty status at other institutions of higher education in the United States (or before June 30th of the third year at Le Moyne College in the case of faculty with three or more years of prior full-time service at other similar institutions), a faculty member must be notified as to whether his appointment will continue on a tenured basis after the seventh (or fourth) year. The effective date of the tenured status will normally be September 1st of the calendar year following such notification.

D. Procedure for Conferring Tenure

In September of each year, the Academic Dean will invite all faculty members, who shall be chronologically eligible to receive tenure 24 months hence, to make formal application for a tenured appointment. All aspirants to tenured positions must submit an application to the Chairman of the Rank and Tenure Committee by the date indicated below (cf. par. g) as appropriate to the following categories:

1. No one shall receive promotion to the rank of Associate Professor without conferral of tenured status. Therefore all applications for promotion to the rank of Associate Professor shall automatically be considered as applications for conferral of tenure.

2. Any faculty member wishing consideration for promotion to the rank of Associate Professor and for tenure earlier than the College's established standard for length of service may submit an application to that effect to the Rank and Tenure Committee.

3. Since tenure cannot be secured automatically, all individuals, even though not applying for promotion to the rank of Associate Professor, whose years of service make a judgment imperative relative to tenure, must still make formal application for tenure to the Rank and Tenure Committee.

a) Applications addressed to the Rank and Tenure Committee should contain information relative to the individual's academic degrees, teaching effectiveness, college and community service, research and publications, academic honors received and other data indicative of outstanding achievement and future promise. An applicant may request written evaluations from colleagues as provided for in (c) below.

b) Since tenure is normally granted only to individuals successfully completing eligibility requirements for the rank of Associate Professor, materials submitted in requesting tenure should normally offer evidence of imminent fulfillment of all standards for promotion to that rank.

c) In considering applications for tenured appointments, the Committee will not only evaluate the information provided by the individual faculty member, but will also require written evaluations of the applicant from the Academic Dean and from the chairman of the appropriate department. All tenured members of the same department will be invited to submit written recommendations. The Committee will welcome written evaluations from any full-time member of the applicant's department and it may solicit evaluations from professionals of comparable status. Student evaluations[1] of courses taught by the applicant will also be an indispensible element in evaluating his or her teaching effectiveness. Evaluations by chairmen and faculty members and the results of student evaluations shall be sent directly to the Rank and Tenure Committee, with a copy to the Academic Dean.

d) Together with all the material referred to above concerning the qualifications of the faculty applicant, the Rank and Tenure Committee shall consider the needs of the College to be served in accordance with the norms set forth above. It shall receive written judgments of these needs from both the Academic Dean and the department chairman.

e) After evaluating all materials submitted, the Rank and Tenure Committee shall formally vote on all applications for tenure. The Chairman of the Committee shall submit its recommendation, whether unanimous or by majority and minority, together with a record of votes and a summary of the reasons supporting them to the President of the College. If the President, taking into consideration the stated norms for conferring tenure, disagrees with the Committee's judgment, he will return the case to the Committee with reasons for his disagreement. The Committee shall then review its recommendation in light of the President's response and shall submit to him the results of its reconsideration.

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[1]Precise procedures for securing, summarizing and introducing student evaluations into the administrative process of promotion will, from time to time, be reformulated in terms of their efficiency and overall effectiveness. These procedures will be determined by the Academic Council.

f) In all cases where either the Committee or the President, or both ultimately favor conferral of tenure, the President shall submit to the Board of Trustees the names of those faculty so recommended along with the Committee's findings in their regard. The President shall inform the faculty member of the Board's decision according to the schedule of dates listed immediately below.

g) Due dates for carrying out the above procedures shall be as follows:

i) Applicants for promotion to the rank of Associate Professor with accompanying tenure shall submit application materials by September 20th; evaluations and recommendations shall be delivered to prescribed officials by October 10th; the Rank and Tenure Committee shall make its recommendation to the President by November 15th. If Trustee action on the application is affirmative, the President shall so inform the applicant by December 15th; if promotion is denied, the faculty member will be notified of his rank by December 15th and will be informed of the Board's decision relative to tenure no later than 12 months prior to the expiration of his last non-tenured contract.

ii) Applicants for tenure not requesting promotion to the rank of Associate Professor shall submit application materials by February 1st of the academic year in which a decision on tenure is to be rendered; evaluations and recommendations shall be delivered to prescribed officials by March 1st; the Rank and Tenure Committee shall make their recommendation to the President by March 31st. The President shall inform the faculty member of the Board's decision no later than 12 months prior to the expiration date of his last non-tenured contract.

E. Procedures for Promotion

Any individual member of the faculty who wishes to be considered for promotion should submit an application to the Chairman of the Committee on Rank and Tenure before September 20th of the current academic year.

The application should contain information relative to the individual's academic degrees, teaching effectiveness, length of service, publications, membership in professional associations, academic honors received, research grants and projects, and other data relative to the norms for promotion as stated in the handbook under Norms of Appointment and Promotion.

In considering applications for promotion, the Committee will not only evaluate the information provided by the individual faculty member, but will also require written evaluations of the applicant from the Academic Dean and from the chairman of the appropriate department. All tenured members of the same department will be invited to submit written recommendations. The Committee will welcome written evaluations from any full-time member of the applicant's department and it may solicit evaluations from professionals of comparable status. Student evaluations[1] of courses taught by the applicant will also be an indispensible element

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in evaluating his or her fulfillment of norms for teaching effectiveness. Evaluations by chairmen and faculty members, and results of student evaluations shall be sent directly to the Rank and Tenure Committee, with a copy to the Academic Dean, by October 10th.

After evaluating all materials submitted, the Rank and Tenure Committee shall formally vote on all applications for promotion. The Chairman of the Committee shall submit its recommendation, whether unanimous or by majority and minority, together with a record of votes and a summary of the reasons supporting them to the President of the College before November 15th.

If the President disagrees with the Committee's judgment, he will return the case to the Committee with his reasons for disagreement. The Committee shall submit to him a further recommendation. If the President is still at variance with the Committee recommendation, he shall determine the case only after consultation with the Executive Committee of the Board of Trustees. (For dates for informing applicants of promotion or non-promotion, cf. section IV, D. 3, g above and V, C, 2).

Strict confidentiality will be observed in all matters pertaining to the work of the Rank and Tenure Committee in both the granting of promotions and the conferral of tenure. Agreement in advance to observe this confidentiality will be a condition of service on the Committee. If an applicant is denied promotion, however, he must be given written reasons for this denial by the President of the College. The policy of confidentiality therefore shall be understood so as not to preclude informing persons denied promotion of areas in which improvement shall be expected in future applications for promotion.

V. REGULATIONS ON ACADEMIC FREEDOM AND TENURE

A. Foreword

Le Moyne College assures to all members of its teaching faculty the exercise of academic freedom.

1. The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

2. The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject.

3. The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times

be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he is not an institutional spokesman.[1]

The following regulations are designed to enable the College to protect academic freedom and the requirements of academic due process. The principles implicit in these regulations are for the benefit of all who are involved with or are affected by the policies and programs of the institution. A college or university is a marketplace of ideas, and it cannot fulfill its purposes of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method. In the words of the United States Supreme Court, "Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die."

B. Statement of Terms of Appointment

1. The terms and conditions of every appointment to the faculty will be stated or confirmed in writing, and a copy of the appointment document will be supplied to the faculty member. Any subsequent extensions or modifications of an appointment, and any special understandings, or any notices incumbent upon either party to provide, will be stated or confirmed in writing and a copy will be given to the faculty member.

2. With the exception of special appointments clearly limited to a brief association with the institution, and reappointments of retired faculty members on special conditions, all full-time appointments to the rank of instructor or higher are of two kinds: (1) non-tenured appointments; (2) appointments with continuous tenure.

3. Except for faculty members who have tenure status, every person with a teaching or research appointment of any kind will be informed each year in writing of the conditions of his appointment.

C. Non-tenured Appointments

1. Non-tenured appointments may be for one year, or for other stated periods, subject to renewal. The total period of full-time service prior to the acquisition of continuous tenure will not exceed 7 years including all previous full-time service with the rank of instructor or higher in other institutions of higher learning, (except that the non-tenured period may extend to as much as four years, even if the total full-time service in the profession thereby exceeds seven years; the terms of such extension will be stated in writing at the time of initial appointment); time spent on leave of absence will not count as service toward tenure, unless the individual and institution agree to the contrary at the time leave is granted.

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[1] Cf. POLICY DOCUMENTS AND REPORTS OF THE AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS, Washington, D. C., 1969, Page 2, together with similar reports issued by the Association of American Colleges.

2. Regardless of the stated term or other provisions of any appointments, written notice that a non-tenured appointment is not to be renewed will be given to the faculty member in advance of the expiration of his appointment, as follows: (1) Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; (2) not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination; (3) at least twelve months before the expiration of an appointment after two or more years of service at the institution. (4) The institution will notify faculty members of the terms and conditions of their renewals by March 1, for those in first year of service and December 15, for those having two or more years of service.

D. Termination of Appointment by the Faculty Member

A faculty member may terminate his appointment effective at the end of an academic year, provided that he gives notice in writing at the earliest possible opportunity, but not later than 30 days after receiving notification of the terms of his appointment for the coming year. The faculty member may properly request a waiver of this requirement of notice in case of hardship or in a situation where he would otherwise be denied substantial professional advancement or other opportunity. The faculty member shall abide by the decision of the college in response to his request.

E. Termination of Appointments by the Institution

1. Retirement of a faculty member at Le Moyne College will ordinarily occur at the close of the academic year in which he will reach his sixty-fifth birthday. A Professor's service, however, may be continued on an annual basis beyond this age, if it is agreeable to both himself and the College.

2. Termination of an appointment with continuous tenure, or of a special or non-tenured appointment before the end of the specified term, may be effected by the institution only for adequate cause.

3. If termination takes the form of a dismissal, it will be pursuant to the procedure specified in Regulation F.

4. Where termination of appointment is based upon financial exigency, or bona fide discontinuance of a program or department of instruction, Regulation F will not apply but faculty members shall be able to have the issued reviewed by the faculty Health and Welfare Committee, with ultimate review of all controverted issues by the Board of Trustees. In every case of financial exigency or discontinuance of a program or department of instruction, the faculty member concerned will be given notice as soon as possible, and never less than 12 months' notice, or in lieu thereof he will be given severance salary for 12 months. Before terminating an appointment because of the abandonment of a program or department of instruction, the institution will make every effort to

place affected faculty members in other suitable positions. If an appointment is terminated before the end of the period of appointment, because of financial exigency, or because of the discontinuance of a program of instruction, the released faculty member's place will not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

5. Termination of a tenured appointment, or of a non-tenured or special appointment before the end of the period of appointment, for medical reasons, will be based upon clear and convincing medical evidence which shall, if the faculty member so requests, be reviewed by the Faculty Committee on Health and Welfare before a final decision is made by the governing board on the recommendation of the President of the institution.

F. Dismissal Procedures

1. Adequate cause for a dismissal will be related, directly and substantially, to the fitness of the faculty member in his professional capacity as a teacher or researcher. This shall include his performance and participation in Committee assignments and other related duties as provided in this handbook. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or other rights of American citizens.

2. Dismissal of a faculty member with continuous tenure, or with a special or non-tenured appointment before the end of the specified term, will be preceded by: (1) discussions between the faculty member and appropriate administrative officers looking toward a mutual settlement; (2) informal inquiry by the Health and Welfare Committee which may, failing to effect an adjustment, determine whether in its opinion dismissal proceedings should be undertaken, without its opinion being binding upon the President; (3) a statement of charges, framed with reasonable particularity by the President or his delegate; (4) the intervention of the Health and Welfare Committee under this paragraph shall be at the election of the faculty member concerned.

3. If the provisions of F (2) do not resolve the issue and a formal statement of charges and dismissal is served, then the individual concerned will have the right to be heard by a Committee whose membership shall be drawn from the teaching faculty as follows: the faculty member concerned shall select two members; the administration shall select two members and the four so selected, shall select a fifth member who shall be Chairman of said Committee.

   a) Service of notice of hearing with specific charges in writing will be made at least 20 days prior to the hearing. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges against him or asserts that the charges do not support a finding of adequate cause, the hearing tribunal will evaluate all available evidence and rest its recommendation upon the evidence in the record.

b) The committee, in consultation with the President and the faculty member, will exercise its judgment as to whether the hearing should be public or private.

c) During the proceedings the faculty member will be permitted to have an academic advisor and counsel of his own choice.

d) A record of the hearing or hearings will be taken and a typewritten copy will be made available to the faculty member without cost to him, at his request. If he so requests, the faculty member will also be given access to an audio-taped recording of the hearing.

e) The burden of proof that adequate cause exists rests with the institution, and shall be satisfied only by clear and convincing evidence in the record considered as a whole.

f) The hearing tribunal will grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.

g) The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the administration of the institution will, insofar as it is possible for it to do so, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control.

h) The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear, but the committee determines that the interests of justice require admission of his statement, the committee will identify the witness, disclose his statement and if possible provide for interrogatories.

i) In the hearing of charges of incompetence, the testimony shall include that of qualified faculty members from this or other institutions of higher education.

j) The hearing committee will not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.

k) The findings of fact and the decision will be based solely on the hearing record.

l) Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the governing board of the institution. The President and the faculty member will be notified of the decision in writing and will be given a copy of the record of the hearing.

m) If the hearing committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the President. If the President rejects the report, he will state his reasons for doing so, in writing, to the hearing committee and to the faculty member, and provide an opportunity for response before transmitting the case to the governing board. If the hearing committee concludes that adequate cause for a dismissal has been established, but that an academic penalty less than dismissal would be more appropriate, it will so recommend, with supporting reasons.

G. Action by the Governing Board

If dismissal or other penalty is recommended, the President will, on request of the faculty member, transmit to the governing board the record of the case. The governing board's review will be based on the record of the committee hearing, and it will provide opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives. The decision of the hearing committee will either be sustained, or the proceeding returned to the committee with specific objections. The committee will then reconsider, taking into account the stated objections and receiving new evidence if necessary. The governing board will make a final decision only after study of the committee's reconsideration.

H. Suspensions

Until the final decision upon termination of an appointment has been reached, the faculty member will be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to himself or others is threatened by his continuance. Before suspending a faculty member, pending an ultimate determination of his status through the institution's hearing machinery, the administration will consult with the Health and Welfare Committee. Suspension is appropriate only pending a hearing; a suspension which is intended to be final is a dismissal, and will be dealt with as such. Salary will continue during the period of suspension.

I. Terminal Salary or Notice

The salary of a dismissed faculty member will continue until the end of the semester in which dismissal proceedings are completed. On the recommendation of the faculty hearing committee or the President, the governing board, in determining what, if any, payments will be made beyond the effective date of dismissal, may take into account the length and quality of service of the faculty member.

J. Academic Freedom

All members of the faculty, whether tenured or not, are entitled to academic freedom as set forth in the Foreword above.

K. Academic Freedom of Non-Tenured Faculty

It is the general policy of the College not to give reasons for decisions resulting in non-appointment of non-tenured faculty. However, if a faculty member on probationary or other non-tenured appointment, alleges that considerations

violative of his academic freedom were the basis for the decision not to reappoint him, his allegation will be given preliminary consideration by the Health and Welfare Committee which will seek to settle the matter by informal methods.

If the difficulty is unresolved at this stage, and if the Committee so recommends, the matter will be heard by a Committee selected by the provisions of Paragraph F, 3. The faculty member making the complaint shall be responsible for stating the grounds upon which he bases his allegations and the burden of proof shall rest upon him. If the faculty member succeeds in establishing a prima facie case, it shall be incumbent upon the College to come forth with evidence in support of its reasons for the decision not to rehire the faculty member. Before the College shall do this, however, the faculty member must agree in writing to the presentation of such reasons and evidence as the College may allege in support of its decision not to rehire. The faculty member in question must similarly agree that this information be kept on permanent file as part of his record.

The procedures for the hearing shall be those contained in Paragraph F, 3, b, c, d, f, g, h, j, k and l.

The final decision of the Committee shall be sent to the governing board of the College for review. The procedures for this review shall be those contained in Paragraph G with the exception of the first sentence in said paragraph which sentence shall not apply.

L. Political Activities of Faculty Members

Faculty members, as citizens, are free to engage in political activities. Where necessary, leaves of absence may be given for the duration of an election campaign or a term of office, on timely application, and for a reasonable period of time. The terms of such leave of absence shall be set forth in writing, and the leave will not affect unfavorably the tenure status of a faculty member, except that time spent on such leave will not count as probationary service unless otherwise agreed to.

M. Faculty Leaves of Absence

The College, following academically recognized standards, defines a sabbatical leave as a periodic (usually every seven years) release from teaching and other duties given a tenured member of the faculty. The main purpose of the leave is to enable the teacher to refresh himself and to work in a variety of manners toward his professional advancement. These may include execution of meaningful research projects in his field, furtherance of studies, participation in academic programs in other institutions, travel to discuss educational methods used or topics of mutual research interests with colleagues here and abroad, and other similar reasons.

The sabbatical leave may be requested for one semester with full pay or for one year at one-half salary. All faculty rights are continued during this leave including participation in the pension plan, and the year is counted toward one's years in rank.

Applications for such leaves shall be submitted to the Committee on Research and Sabbatical Leaves in accordance with the written rules of procedure of that body. The Committee shall present its recommendations to the President

of the College by January 15th, and final announcement of the choices shall be made by February 1st of the academic year preceding the one in which the sabbatical leave is taken.

Unpaid leaves of absence may be granted for not more than one year by the President of the College for special purposes, e.g. for teaching at another institution, engaging in political life, or assisting in an extensive and worthwhile civic or industrial project related to one's academic proficiency which will enhance one's value to the College. Time spent in a leave of this type is not counted towards years in rank, nor towards tenure. It may be renewed only once, in special cases.

Short term leaves of absence may also be granted by the College. These may be taken for illness, childbirth, or reasons of comparable urgency and importance. Application for these must be made to the Academic Dean as far in advance of the leave as possible. Normally these will be paid leaves, though their duration and terms of remuneration shall be determined in each instance. Arrangements must be made within the department of the person taking the leave, so that his classes are covered adequately. All usual benefits mentioned above are continued during the leave period.

The number of sabbatical and unpaid leaves of absence awarded during any given year shall be determined in accord with the College's financial resources, its educational priorities and the availability of replacement personnel for the period affected by the applications.

N. Maternity Leave

The maternity leave policy for full status faculty is designed to provide the faculty member with assurance that her need for absence because of childbirth will be granted without loss of faculty rights and at the same time provide adequate assurance to the College that an academic program will not be disrupted through such absence.

1. A faculty member is expected to inform her chairman or the Academic Dean's office within a reasonable time that she is pregnant and to indicate the probable date of birth.

2. When a faculty member, her chairman and the Academic Dean agree that a period not to exceed four weeks for maternity leave is sufficient, and that suitable arrangements can be made to fulfill her responsibilities for her courses, the four-week period of maternity leave will be granted with full salary.

3. In the event that an agreement as described above cannot be reached or the faculty member feels that she would be unable to fulfill her obligations and would require more than the four weeks as indicated above, she must take a maternity leave for one semester. Such maternity leave will be at one quarter of her academic salary for that semester for faculty who have completed at least one year of full status service at the College.

4. A maternity leave agreement between a faculty member and the College must include the written approval of her physician for both the length of the leave and the date for beginning the leave. She must also

obtain written approval of her physician in order to terminate the leave, regardless of the length of leave originally agreed to by her and the College.

5. A maternity leave of more than one semester would be considered as an unpaid leave of absence. A leave of one semester, with or without partial salary, would be treated, with respect of faculty rights and benefits, the same as an unpaid leave of absence.

VI. FACULTY EMPLOYMENT CONDITIONS AND BENEFITS

A. Payment of Salaries

Faculty members and administrative officers are paid monthly by check on the last school day of each month from September to May and on the last weekday of June, July and August. Salary checks are to be called for at the Cashier's Office during regular sessions; during the Summer they will be sent by mail.

B. Deductions from Salary Checks

Federal and New York State tax laws require the withholding of income taxes from all salary checks in accordance with the number of exemptions claimed by law. Deductions are made from the gross amount of each check for the period of time covered by the check on the basis of the number of exemptions claimed.

Other deductions from salary checks are: Social Security tax when authorized, Retirement contributions, Blue Cross, Blue Shield and group insurance payments. The voucher attached to each salary check indicates all the deductions made.

Whenever the number of pertinent exemptions changes, a new withholding certificate must be signed and submitted to the Treasurer's Office.

C. Welfare and Retirement

1. Social Security (Federal Old Age and Survivor's Insurance)

   All members of the faculty participate in the Social Security program. Payments are made in equal amounts by the faculty and the College into the federal fund in accordance with the law.

2. Retirement Plan and Life Insurance Programs

   All full-time members of the lay faculty who are not more than 60½ years of age are eligible for the Le Moyne College Retirement Program through membership in TIAA beginning on September 1st of their first year at the College.

   The TIAA annuity contract is a contractual agreement between the individual participant and the TIAA. Full ownership of all retirement

benefits earned and accumulated, including benefits from the College's contributions, is vested in the participant, but only for redemption upon retirement. Normal retirement age is 55 years.

Payments to the retirement program will be 10% of the annual base salary of the members. Of this amount, 65% will be contributed by the College and 35% by the participants. Monthly deductions from salary checks will be made in the amount due to be paid by the participants.

Furthermore, all members of the retirement program are eligible for the Le Moyne College Life Insurance Plan which provides $10,000 of term life insurance. Application is required within 31 days of initial eligibility. The College will contribute the cost of $6,500 of this insurance, and the members will pay for the remaining $3,500. Monthly deductions from salary checks will be made in the amounts due from the participant.

3. Total Disability Benefits Plan

All full-time members of the lay faculty become eligible for this protection after a one-year waiting period. In the event of a total or long-term disability, lasting more than six months, this program provides monthly income during the period of disability up to age 65. It also pays the premium on the TIAA retirement plan as long as the disability continues. Brochures describing this plan in detail are available in the Treasurer's Office.

4. Health Insurance

Group membership in the Blue Cross-Blue Shield hospitalization, surgical-medical and extended benefits plans is offered to all members of the faculty. The College will contribute 25% of the premiums, and monthly deductions will be made from salary checks for payment of the balance.

New employees may transfer their membership in other Blue Cross groups to the Le Moyne Plan by signing the pertinent forms in the Treasurer's Office. Information folders describing the nature and extent of the coverage provided through this program may be obtained from the Treasurer's Office.

5. Workman's Compensation Insurance

All members of the faculty are protected by Workman's Compensation Insurance as required by New York State law. The cost is paid by the College. This insurance provides coverage for all medical, surgical and hospitalization expenses resulting from accidents incurred in the performance of their duties as members of the College faculty.

A prompt report of any such accident should be made to the College Infirmary, even though the injury may seem to be minor at the time of occurrence. In the event of a serious accident or one which necessitates hospitalization, the report should be made by the head of the department.

6. Graduate Tuition

Le Moyne College will normally pay one-half of the tuition expenses of courses taken toward the completion of the terminal degree of any full-time member of the teaching faculty. To apply for this assistance, the faculty member should present to the Academic Dean a transcript of all graduate work previously completed plus an accurate list of all courses and requirements not yet completed. This aid is necessarily contingent on the resources of the College at the time of application.

7. Attendance at Meetings of Professional and Learned Societies

Provided availability of funds in the appropriate departmental budget, the College will pay the expenses of members of the faculty who attend the conventions of the professional societies to which they belong, according to the following norms:

a) When a faculty member takes an active part in the program by reading a paper or leading a discussion, or goes to a convention as the representative of the Academic Dean, the College will pay his full expenses.

b) When a faculty member, with the approval of his department head, attends a convention, but does not take an active part, the College will pay one-half of his expenses.

c) In every case, the head of the department should give to the Academic Dean the name of the faculty member in question, the convention and the date, together with a notation of the amount of money approved.

8. Scholarship Benefits

As a matter of policy, the President of the College will grant reductions in tuition and fees to the children of those employed by the College according to the following standards:

a) for the children of full-time faculty and staff who have been in the service of the College for five years, reduction in tuition sufficient, when added to all scholarships and aid from outside sources, to equal 100% of established tuition/other fixed charges per semester as listed in the College Catalog. This reduction does not apply to other fees and charges.

b) for the children of full-time faculty and staff during the first five years of employment 50% reduction in tuition/other fixed charges as above.

c) for the nieces and nephews (and if occasion arises, for brothers and sisters) of all Jesuits who are full-time members of the College teaching and administrative faculty or staff, reduction in tuition sufficient, when added to all scholarships and aid from outside sources, to equal 100% of established tuition/other fixed charges as above.

d) for part-time faculty a reduction in tuition will be made in proportion to the number of hours taught in the College and amount of time served.

Formal request for this financial reduction is to be made to the Academic Dean at the time the student applies for admission.

9. College Book Store

The College Book Store is the source of supply for texts used in the various courses. All members of the teaching faculty are asked to cooperate in submitting their book lists on time and in not changing texts for light or trivial reasons. All textbook orders should bear the authorization of the departmental chairman.

With certain exceptions, a 15% discount is allowed on most merchandise sold in the Book Store. A 10% discount is allowed on text books.

The College Store will order books for a faculty member on a bona fide order and will charge only cost plus a nominal fee for postage or transportation. The College Store will accept subscriptions for any magazine on a cost basis. All personal purchases are transacted on a cash basis.

10. Faculty Secretaries

Three full-time secretaries are engaged by the College to assist faculty members in professional duties. Two are located in the Faculty Office wing of the Academic Complex and another, primarily for assisting Science faculties, in the Chaplain's Office.

IBM dictation recorders are located in Faculty Secretaries' offices in the Academic Complex. These can be set in operation from any telephone extension in the College. Instruction for use of the dictating equipment can be secured at the Academic Dean's office.

Faculty requests for secretarial assistance should be limited to standard faculty functions, e.g. typing of syllabi, course bibliographies, outlines, examinations, letters of recommendation, committee minutes, ect. Typing of research manuscripts, doctoral dissertations, graduate school assignments, class "textbook" equivalents, and like projects should be arranged by the professor through agencies other then the Faculty Secretarial Service.

11. Faculty Identification Cards

All faculty members and staff should secure an official identification card through the Office of the Dean of Men. Photographs for this purpose are normally taken during registration days preceding Fall Semester. Presentation of the card gains access to Syracuse University Library.

VII. ACADEMIC REGULATIONS AND PROCEDURES

A. Registration

Registration is planned and actively managed by the Academic and Student Personnel Deans in cooperation with the Registrar.

The complexity of the process, however, requires the active contribution of departmental chairmen, directors of programs, the Computer Center and the Treasurer's Office. Members of the faculty will also frequently be called upon to assist in the process.

B. Catalog

The Catalog is the official publication of academic offerings and requirements and other information about the College. Members of the faculty are expected to be acquainted with its contents, especially with the various curricular offerings of the College. Acquaintance with such information will help faculty members to be capable educational advisors to the students.

C. Class Admittance

The cooperation of the faculty in the following matters is necessary to generate accurate records of student qualification for academic credits and degrees:

1. Each student receives a coded IBM card for every course in which he is registered. These course cards are utilized in producing class lists of all registrants in each course.

2. Class lists are made available and are to be secured by individual professors from the Registrar's Office on the first day each course is scheduled to meet.

3. No student is considered a member of a class unless his name appears on the official class list. If a student whose name is not listed seeks admission, he should be sent to the Registrar's Office to be officially added to the class roster after obtaining the department chairman's approval for change of course. If an officially listed student desires to leave the course, he should be sent to the Registrar's Office to secure the proper signature permitting the drop of course.

   Definitive class lists will be compiled by the Computer Center from original lists, Add and Drop cards, as soon as the one-week period for change of courses has ended. Professors will receive by mail definitive class lists for each course taught.

D. Student Absences

1. The College policy on student absence from class is enunciated in the Catalog. Reduced to its essentials, the policy places on individual professors the responsibility to determine the number of absences permissible in each course without loss of eligibility to take the final examination. However, no professor's policy can exclude a student from a final examination for having missed five classes or less. Furthermore, students on the Dean's list in classes larger than twenty are entitled to unlimited absences without penalty.

2. To guarantee accurate knowledge of course requirements, each professor should announce to his class as early as possible the precise regulations for attendance operative in his course.

3. Names of students who are ineligible to take a final examination due to absence in excess of the professor's policy should be submitted to the Registrar's Office one week prior to the examination date.

4. Quite apart from any penalties exacted for excessive absence, it is part of the professor's responsibility to be aware of what students are in attendance, and to inform the Dean of Men or Dean of Women about prolonged absences (about two weeks). Situations do arise where it is important to the student's well-being that College officials search out reasons for prolonged absence.

E Examinations

1. Private: announced examinations that instructors give to their students during the semester. There are no definite dates set aside when instructors must give private examinations. (Indeed it is recommended, especially at mid-semester, that professors exercise care together to avoid scheduling too many private examinations for the same students on the same day).

   It is taken for granted that fairly frequent testing is advisable as a means of judging student progress and giving professional criticism so that improvement can take place.

2. Semester: the final comprehensive examination on the entire content of the course. The semester examination should be as much an educational experience as a class. It should be prepared carefully, be sufficiently searching to tax the better student and to allow discrimination among various levels of accomplishment.

   To guarantee a tranquil atmosphere, no student may leave the semester examination room before the expiration of one clock hour.

   a) To avoid conflicts in assignments, semester examinations are regularly scheduled and proctors assigned by the Registrar with the assistance of computer services.

   b) Professors who plan any deviation from a written semester examination, e.g. oral exam, lab course not requiring exam, special processing needs for exam materials, films, special room requirements, should inform the Registrar in writing of the special circumstances five weeks prior to examination week. A form will be provided for this purpose.

   c) All semester examinations are to be submitted to a faculty secretary's office according to a schedule of dates that will allow sufficient time for typing, printing and packaging of materials. These dates will be announced in writing each term.

F. Grades

1. A detailed explanation of the grading system in use in the College may be found in the Catalog. Professors should familiarize themselves with the meaning attributed to the various symbols and utilize those meanings in their grading of student work.

2. Quarter Advisory Grades

At the end of the first quarter, instructors of Freshmen and Nurses are provided with mark sheets and requested to submit a grade for each student. These grades should be determined according to the same standards employed at the semesterly grading period. Instructors of upperclass students should submit to the Academic Dean's Office the names of those students judged in danger of failing.

At the end of the third quarter, instructors of nurses are asked to submit a grade for each student. Instructors of all other students are asked to give to the Academic Dean's Office the names of those students judged in danger of failing.

Professors are expected to interview students they judge to be in danger of failing to ascertain the reason for the lack of success and to suggest remedies for the situation. These students will also be informed in writing of their danger of failure by the Academic Dean.

3. Final Grade

Every student must receive a final grade for each course in which he is officially registered.

This grade should reflect the student's entire performance for the semester, i.e., recitations, readings, quizzes, papers, final examinations, and other assignments.

Instructors must gain the approval of the Academic Dean to change any final grade once submitted. This approval will only be granted in the case of a genuine clerical error.

4. Submitting Grades

Grades are to be submitted to the Computer Center at least by the day that is assigned. Normally grades will be requested within forty-eight hours after the examination is administered. Meeting this deadline is essential for determining graduation lists in June and for allowing all students reasonable time to make plans for second semester or summer school.

5. An incomplete (I) is incurred by failure to complete some portion of course requirements. If this grade is given by the professor, the incomplete must be removed by satisfactory completion of the work within one month from the last day of class. Unless this is done, the grade will automatically be changed to an "F" on the student's permanent record.

G. Other Regulations

1. Departmental Meetings

Departmental meetings of each department are held at least twice each semester. All members of the faculty are expected to be present at the meetings of their department.

2. Faculty Absence

No faculty member may cancel a class either by dismissing it or by securing a substitute without authorization by the Academic Dean.

In cases of foreseen, necessary absences for which the Academic Dean's approval has been obtained, faculty members are requested to secure a substitute instructor, if feasible, through the chairman of the department.

When a faculty member cannot meet his class, owing to sickness or some other urgent circumstance, the Registrar and chairman of the department should also be notified immediately so that students can be advised of his absence.

3. Classroom Attire

Faculty members are expected to dress for classes and other official functions in a manner appropriate to their professional status. They are responsible to maintain in their classrooms the norms for student dress set forward in the Student Handbook.

4. Class Periods

With respect for the religious pluralism of faculty and students, the College encourages professors to invite students to join in a prayer to begin class, especially the first of the day. The instructor may, if he so desires, request one of the students to lead the prayer.

Usually, classes begin on the half-hour and are of fifty-minute duration. Faculty members should be at their classroom desk at the time appointed for beginning class and should be prompt in dismissing class at the closing bell.

5. Classroom Supplies

Chalk and erasers are regularly distributed to the classrooms by the custodians. The Maintenance Office should be asked to remedy irregularities of distribution. Supplies of chalk for immediate needs may be secured from the Registrar's Office. Mark books may also be secured from the Registrar's Office.

Audio-visual equipment for classroom use, viz. videotape, projectors, screens, record players, are available from the Audio-Visual Center (C247). Instructions for the supply of this equipment are provided by the Center.

6. Discipline

Each faculty member is asked to assist the Dean of Men in maintaining discipline. The teacher is responsible for discipline in his classroom, not the Dean of Men.

7. Smoking

Smoking in classrooms or science laboratories is not permitted to anyone at any time. In seminar rooms where professors may allow or disallow smoking, the sensibilities of all should be considered. If smoking is permitted, the instructor shall be responsible to leave the room in a clean and orderly condition for succeeding classes.

8. Attendance at Special Functions

All faculty members are required to be present at the two convocations held each year, and the general meeting of the faculty held twice each semester; also, Freshmen Parents' Day in the Fall and the Baccalaureate and Commencement Exercises at the end of the school year.

Faculty members are cordially invited to assist at the Mass of The Holy Spirit in September.

9. Student Counselling

All faculty members should regard it as one of their responsibilities to make themselves available to students for counselling in academic and, if requested, personal matters.

To this end, professors should publish to their students and register with the department chairman, a schedule of hours when they will be available in their offices for counselling.

10. The Faculty and the Placement Office

A description of the services offered by the Placement Office can be found in the Student Handbook. Members of the faculty are welcome to use these services. They are asked to familiarize themselves with the services of the Placement Office and to encourage students, especially seniors, to make full use of these services.

11. The Faculty and the Counselling Center

The Counselling Center was instituted as a service to the Academic Dean, the instructors and the students of the College. A complete description of its services can be found in the Catalog.

12. The Faculty and the Public Relations Office

The Public Relations Office is the clearing house for all College publicity. Members of the faculty are asked to cooperate with the Director of Public Relations by reporting their activities, such as lectures, attendance at meetings and conventions, publication of articles and books, appointment to committees, membership in associations.

Faculty advisors of student organizations are asked to help urge officers to report their activities regularly and as far in advance

as possible to insure adequate publicity throughout various media of communication.

Members of the faculty are to understand that all publicity having to do with the College must be cleared through the Public Relations Office and must have approval from that office.

13. Faculty Advisors

Faculty advisors shall be appointed by the President of the College after consultation with both the Academic Dean and the Dean of Student Personnel. In the performance of their duties, they are directly responsible to the Dean of Student Personnel.

Faculty advisors shall encourage students to make decisions within the framework of their constitution and to cooperate with the Student Government of the College. In all their activities, they shall promote the development of student responsibility and initiative.

Faculty advisors shall insist that students keep an accurate account of their finances and follow established College rules on the banking of funds.

At the conclusion of the academic year, the advisor shall submit a report to the Dean of Student Personnel evaluating the activities of the organization.

A set of regulations governing the operation of co-curricular organizations is issued annually by the Office of the Dean of Student Personnel. These regulations explain procedures for scheduling events, the use of College facilities, the expenditure of funds and posting of publicity.

14. Faculty Mail

Personal mail boxes assigned to each faculty member are located in the College Mail Room (AD 117). Keys are to be secured from the Maintenance Office.

15. Faculty Parking

All faculty members desiring to park an automobile on campus should obtain a faculty identification sticker from the Office of the Dean of Men. Faculty members are obliged to follow the zoning regulations for parking, established by the Dean of Men.

16. Telephones

Inter-office calls should be made by using the three-digit direct dial system according to the office number listed in the College Directory. Local business calls should be made by dialing "9" and then the proper exchange and number. All long distance calls must be made through the operator who will place the call; the system permits no exception to this procedure.

17. Dispensary

Members of the faculty may avail themselves of the services of the dispensary. The facility is located in the Dining Hall, and is staffed by registered nurses in attendance 24 hours a day. Physicians are in attendance daily at fixed hours.

Faculty members may bring spouses and children for polio and flu shots on a cost basis.

18. Use of Auditorium, Lounges and Classrooms

Applications for use of the auditorium, Special Events Room, lounges, and for evening use of classrooms should be made at the Office of the Dean of Student Personnel Services. For the use of the chapel and dining halls, the additional authorization of the Chaplain or the Manager of Dining Services is required.

19. Printing and Duplication

A variety of facilities are available for faculty use in duplicating materials for class and committee convenience.

a) A Xerox machine is located both in the Library and the Registrar's Office. These machines are essentially copying instruments rather than duplicators. Cost considerations (about $.07 per copy) make inadvisable their use for runs of more than about five or six copies of any one item.

b) A high speed Xerox 3600-I is located in the Development Office. Though uneconomical for copying purposes, this machine is well suited for all runs from ten (a flat charge of $.20 per original for runs of ten copies or less) to several hundred. So used, charges are entered at $.02 per copy.

c) Faculty needing to reproduce special materials on multilith masters through a commercial printing firm, should channel orders through a Faculty Secretary in the Academic Complex.

Faculty members utilizing the above facilities should enter their name, the account number of their department or organization, and the quantity of copies in the ledger or order blank provided. Responsibility for the disposition of departmental funds is vested immediately in departmental chairmen. Departmental policy on printing expenditures should therefore be respected.

H. Academic Council

Responsibility for the formation of policy in academic matters is vested in the Academic Council of the College. The authority of the Council varies in degree from primary to consultative among the several areas of its competence.

Teaching faculty constitute 15 of the 23 Council members. Five of these fifteen are elected at large by the faculty and ten are elected from five di-

visional groupings of academic departments. Three representatives of the College administration and five elected students fill out the remaining members.

A complete text of the Academic Council Constitution is to be found in Appendix A of this Handbook.

I. Student Life Council

Responsibility for the formation of policy in matters of student life outside the academic sphere is vested in the Student Life Council of the College. The authority of this Council varies in degree from primary to consultative among the several areas of its competence.

Teaching faculty constitute 3 of the 17 Council members. Six of the remaining members are officers of the College administration and eight are students elected by their peers.

A complete text of the Student Life Council Constitution is to be found in Appendix B of this Handbook.

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Appendix A

LE MOYNE COLLEGE

C O N S T I T U T I O N

of the

A C A D E M I C C O U N C I L

Approved by Board of Trustees: April 23, 1969

Amended April 23, 1971

I. ESTABLISHMENT OF THE ACADEMIC COUNCIL

WHEREAS, Le Moyne College's commitment to explore new directions in academic excellence calls for a fuller and more active participation by its trustees, administration, faculty and students in the overall development and operation of the college; and

WHEREAS, this participation should be in the nature of shared responsibility among the aforementioned; and

WHEREAS, this sharing of responsibility should be determined by the competence of the appropriate body in relation to varying subject matters under consideration; and

WHEREAS, the degree of authority will vary from "primary" to "consultative" according to the subject matter; and

WHEREAS, it is essential that this sharing of authority be exercised responsibly in light of Le Moyne's unique place within the tradition of Jesuit liberal arts education and in light of the College's financial well-being.

NOW, THEREFORE, there is hereby established an Academic Council for the purpose of effecting the aforementioned sharing of responsibility in the areas designated below. This Council shall have the powers hereinafter delegated to make broad policy with discretion and latitude left to the administration as to the means and manner of its implementation.

A. Definition of Terms

1. Primary Authority--full and complete authority delegated by the Trustees of the College and exercised in accordance with the procedures hereinafter mentioned, the Charter and By-laws, and Statutes of Le Moyne College, and the Rules and Regulations of the State of New York.

2. Joint Authority--authority which requires concurrent approval of the interested parties, i.e. the Academic Council and the Administration.

3. Consultative Authority--authority to initiate and discuss proposals with the trustees, the President and appropriate administrative officers, and the correlative duty on the part of these parties to consult the Council with respect to their proposals in the areas outlined below.

B Powers of the Academic Council

1. Primary authority and responsibility to set academic standards for admission to the College, and consultative authority on other admission policies.

2. Primary authority and responsibility to define the meaning of symbols used in grading, and to set standards for their application.

3. Primary authority and responsibility to set academic standards for continuance in college and for attainment of a degree.

4. Primary authority and responsibility to institute, maintain, amend or abolish all academic programs and curriculum requirements in the field of general studies.

5. Primary authority and responsibility to review the departmental requirements for degrees in each major, and in extraordinary circumstances to veto proposed requirements.

6. Primary authority and responsibility to review and judge upon proposals establishing the structure of Honors Programs in the College.

7. Primary authority to name a voting member from the teaching faculty to serve as the Academic Council's representative on the Budget Committee and on the Long-Range Planning Committee of the College.

8. Joint authority and responsibility with the Administration to establish new academic departments, to realign and discontinue existing ones.

9. Joint authority with the Administration to define the powers, guidelines for operation, and manner of establishment and selection of the Rank and Tenure Committee.

10. Consultative authority over the contents of the Faculty Handbook. This authority includes, without being limited to, matters which affect contractual agreements with the College. Specifically:

    a) The formulation of a statement governing Academic Freedom.

    b) The selection and function of department chairmen.

    c) The teaching loads of the faculty, and committee and moderator assignments.

    d) The College calendar and the scheduling of classes.

11. Consultative authority to the President in the selection of candidates for the offices of Academic Dean and Student Personnel Dean.

II. THE COMPOSITION OF THE ACADEMIC COUNCIL

A. Membership

The Academic Council shall be composed of twenty-three members.

1. Fifteen shall be chosen in the following manner:

    a) Five shall be elected at large by the members of the teaching faculty of the College.

b) Ten shall be elected in the following manner: the academic departments of the College shall be combined into five groups; namely, (1) Philosophy and Theology, (2) English, Modern Language, and Classical Languages, (3) Biology, Chemistry, and Physics, (4) History, Political Science, Sociology, and Education, (5) Business Administration, Economics and Mathematics. The members of the teaching faculty in each of these five groups shall elect two representatives from within their membership to the Academic Council.

c) Every two years the numerical composition of faculty comprising each division shall be reviewed. In the event there is a difference of more than nine between any of the divisions, the Council shall reapportion the divisions so as to equalize them within the above limitation. In reapportioning, the Council shall attempt to maintain divisions comprised of logically allied departments.

2. Five students shall serve as full members of the Council.

3. Three shall represent the administration of the College; namely, the Academic Dean, ex officio, the Dean of Student Personnel, ex officio, and one other, selected by the President of the College.

B. Officers of the Council.

1. The offices of the Academic Council shall be those of President, Vice President, Secretary-Treasurer and Executive Secretary.

2. All offices shall be held by the elected members of the Council, except the office of Executive Secretary which shall be filled by the Academic Dean who shall also serve as chairman of the Agenda Committee.

C. Eligibility for Membership

1. Faculty membership on the Academic Council shall be limited to full-time members of the teaching faculty who have the rank of Assistant Professor or Associate Professor or Professor at the time of their election and who have served for at least one full year as full-time members of the teaching faculty of Le Moyne College at the time of their election. This eligibility requirement does not apply to the three members representing the College administrators.

2. Student membership on the Academic Council shall be limited to duly elected full-time students who have completed at least two full semesters at Le Moyne College, have at least a 2.5 cumulative ratio, and are Juniors or Seniors during their term of office.

D. Eligibility for Voting

1. All full-time members of the teaching faculty, excepting those who have not completed at least one full academic year of full-time teaching at Le Moyne College at the time of voting, shall be eligible to vote in appropriate elections for faculty members of the Academic Council. This eligibility requirement applies both to elections for members at large and to elections for departmental representatives.

2. All full-time students shall be eligible to vote in appropriate elections for student members of the Academic Council.

E. Election Procedures

1. All elections hereinafter provided for shall be under the general supervision of the Election Committee of the Academic Council. All elections shall be by secret ballot and shall be decided by a simple plurality.

   a) Annual elections of representatives of departmental groups shall precede nominations and election of members-at-large. Each of the five departmental groups shall determine its own election procedures for the choice of its own representatives, subject however to the requirement of a secret ballot and simple plurality method of deciding the winner, and the further provision that the representative must be a member of the group which he represents. April 15 is deadline for completion of above elections.

   b) Annual elections for members-at-large shall be conducted by the following procedure: The Nominating Committee of the Council shall present to the Election Committee at least two weeks prior to the election a slate of candidates for the positions to be filled. Only one candidate for each position shall be named. Two weeks prior to the election the Election Committee shall publish the slate named by the Nominating Committee, together with the number of eligible voters for the election. Nominations from the membership may then be made by filing with the Election Committee a petition containing the signatures of at least 10% of the eligible voting members. An eligible voting member may sign as many petitions as there are positions to be filled. One week prior to the election the Election Committee shall publish the list of all candidates. This notice shall contain the election date and procedures. Election for members-at-large shall be completed by May 15.

   The procedures for the first election are contained in Appendix A, attached hereto.

2. Student elections to the council shall be held in March of each year, with nominations to be announced at least one week prior to the election.

   a) Student members shall be elected to the Academic Council in the following manner: Each of the five divisional groups described in this constitution under the heading of Membership shall elect one student member. This student member shall be a major in one of the departments that constitute the divisional group which he or she represents and shall be elected by the qualified student voters who are majors in the same departments. Those who hold the position of student representative in their major department shall automatically become nominees for the office of student member of the Academic Council, provided they are willing to

stand for election to that office and are fully eligible for the same. Other eligible students can be nominated for the same office by presentation of a nomination petition bearing the signatures of at least ten percent of the qualified voters in the divisional group in question or five qualified voters in the divisional group in question, whichever is the larger number. This petition shall be presented to one of the two faculty representatives of the divisional group at least two weeks before the date of the election.

The faculty members of the Academic Council who represent the divisional groups shall see to it that elections of student members of the Council in their respective divisions are properly initiated, conducted, and reported, in accordance with the provisions of this constitution.

F. Terms of Office

1. The term of office shall begin July 1st and end June 30th.

2. The term of office of faculty members of the Academic Council shall be three years.

   a) Faculty members of the Academic Council may serve two successive terms, after which they become ineligible for further service on the Academic Council for one year.

   b) The term of office of one-third of the faculty members of the Academic Council shall expire each year.

   The schedule for terms of office for the first four years is contained in Appendix B, attached hereto.

3. The term of office of student members of the Academic Council shall be one year. In order to provide continuity in working with the Academic Council, students may be re-elected for second term, and student members-elect shall attend meetings subsequent to their election and prior to their assuming office.

4. Vacancies shall be filled by special election for the unexpired term.

G. Recall

The Academic Council may establish a procedure for the recall of its members by the eligible voters of the faculty at large in the case of a member-at-large, by the eligible voters of the departmental group in the case of a representative of a departmental group, and by the eligible voters of the student body in the case of a representative of the students.

H. Meetings

1. The Council shall meet at least twice a semester and provision for additional special meetings shall be made in its by-laws.

2. The Council shall provide minutes of its meetings to the Chairman of the Board of Trustees, the President, the Academic Dean, the Dean of Student Personnel, and the President of Student Government, and shall adopt appropriate means to inform the faculty and student body of its action.

I. Guarantees and Avenues of Representation to the Academic Council

1. Members of the faculty and members of the student body may submit proposals to the Agenda Committee of the Academic Council through any of their elected members.

2. The Academic Council shall send the agenda for each regularly scheduled meeting to all members of the Council and all department x* days before each meeting, and copies shall be transmitted according to the provision for said meetings in the Council By-laws.

3. Department chairmen have the right to speak before the Council on any matter in the agenda which may affect their department. A department chairman may, if he wishes, designate a faculty member to speak in his place. Notice must be given to the Council president of the intention to speak before the Council and of the item of the agenda to be spoken on, x* days before the meeting.

4. A summary of each meeting shall be sent to each member of the faculty within x* days after each meeting and shall include all rules adopted by the Council. Likewise, copies of the summary shall be posted for students. Complete minutes of Academic Council meetings shall be made available in the library and maintained in the College Archives

III. PROCEDURES FOR ENACTMENT OF LEGISLATION

A. In the areas of primary authority, final resolutions of the Academic Council shall be immediately transmitted in writing to the Board of Trustees or its designee. The Board or its designee shall consider such resolutions within thirty (30) days. The resolution shall be deemed approved and in effect if no response is made within thirty (30) days or sooner an affirmative response is made. In the event the Board or its designee rejects said resolution, written rejection and reasons therefore shall be transmitted to the Academic Council within thirty (30) days.

1. Upon receipt of rejection, the Academic Council after considering reasons for disapproval, may be a majority vote resubmit the resolution with written arguments to the Board or its designee. The same rules for approval or disapproval as above stated shall apply to this resubmission.

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*Number of days to be specified by the Academic Council in its By-laws.

2. In the event that a resubmitted resolution be rejected, the Academic Council upon receiving notice thereof, may, by a two-thirds vote, submit the resolution to the full Board of Trustees and shall have the right to have the Executive Secretary of the Academic Council personally appear at said meeting and orally present the proposal and arguments therefor. The Board of Trustees shall make its final determination within five (5) days after presentation.

3. In the event there shall be no regular Board of Trustees' meeting scheduled within thirty (30) days of the decision to submit such a previously rejected proposal to it by the Academic Council, a Special Meeting of the Board shall be convened within said time period for the special purpose of considering said proposal.

B. In the areas of joint authority, final resolutions of the Academic Council and the Administration should be immediately transmitted in writing to the Board of Trustees or its designee. The Board or its designee shall consider such resolutions within thirty (30) days. The resolutions should be deemed approved and in effect, if no response is made within thirty (30) days or sooner, an affirmative response is made. In the event the Board or its designee rejects said resolution, written rejection and reason therefor shall be transmitted to the Academic Council and the Administration within thirty (30) days.

1. Upon receipt of the rejection, the Academic Council and the Administration, after considering reasons for disapproval may by joint action resubmit the resolution with written arguments to the Board or its designee. The same rules for approval or disapproval as above stated, shall apply to this resubmission.

2. In the event a resubmitted resolution be rejected, the Academic Council by a two-thirds vote together with the consent of the Administration may submit the resolution to the full Board of Trustees and shall have the right to have the Executive Secretary of the Academic Council and a representative of the Administration personally appear at said meeting and orally present the proposal and arguments therefor. The Board of Trustees shall make its final determination within five (5) days after presentation.

3. In the event that there shall be no regular Board of Trustees meeting scheduled within thirty (30) days of the decision to submit such a previously rejected proposal, to wit: by the Academic Council and Administration, a Special Meeting of the Board shall be convened within said time period for the special purpose of considering said proposal.

IV. BY-LAWS, RULES AND AMENDMENTS

The Academic Council shall establish its own by-laws and rules of procedure and operation.

Amendments to this constitution shall be effected in the following manner. A proposed amendment shall be submitted through a member of the Council at an Academic Council meeting. At the next meeting of the Council a two-thirds majority of the Council must approve the amendment for passage. An approval proposed amendment shall be placed on the ballot at the next at large election. A majority vote together with the approval of the Trustees of the College will be required for an amendment's adoption.

In recognition of the responsibilities vested in the Trustees by the Charter of the College, this Constitution can also be changed, altered, modified, or revoked by resolution of the Board of Trustees.

For the first year the procedures for election shall be as indicated in Appendix A.

For the first four years the schedule for terms of office shall be as in Appendix B.

Until the Academic Council has exercised its powers to change matters now legislated by the Statutes and By-laws of the College, the present Statutes and By-laws will remain in effect.

BY-LAWS OF THE ACADEMIC COUNCIL

A. Rules of Order

Unless otherwise specified in the Constitution and By-laws of the Academic Council, Robert's Rules of Order Revised shall govern all proceedings.

B. Elected Officers of the Council

The President, Vice President, and Secretary-Treasurer are the elected officers of the Council. The term of each officer shall be one academic year. Elections shall be held at the first regular Fall meeting and shall in each case be determined by a majority vote. The term of office shall extend from the time of election until June 30 of the following calendar year.

C. Duties of the Officers

1. President

   a) The President shall be the presiding officer at all meetings of the Council. (....he shall preserve proper order therein, enforce due observance of the Constitution and By-laws, decide all questions of order without debate, and he shall see that all officers perform their respective duties faithfully....SEE ROBERT'S RULES)

   b) He shall appoint from the Council membership all committees deemed necessary for the proper function of the Council, except as otherwise provided for in these By-laws.

c) He shall appoint the Council's representatives on the Budget Committee and the Long Range Planning Committee of the College.

d) He shall be a member of the Agenda Committee of the Council, and ex officio member of all other committees except the Nominating Committee.

e) He shall convene special meetings as stipulated in these By-laws.

2. Vice President

a) The Vice President shall preside at all meetings in the absence of the President, and he shall perform such other functions as are delegated by the President.

b) He shall be a member of the Agenda Committee of the Council.

3. Executive Secretary

a) The Academic Dean of the College shall be the Executive Secretary of the Council.

b) He shall call all regular meetings of the Council.

c) He shall serve as Acting President from June 30 of each year until the election of new officers at the regular Fall meeting.

d) He shall, upon request of the Council, recommend to the appropriate administrative officer the appointment of such additional officials, committees, and advisors, as may be useful and necessary to the deliberation and policy decisions of the Council in the area of primary authority.

e) As a member of the Administration and an active participant in the deliberation and consideration of matters of joint authority and consultative authority, he shall help structure the proper relationships to provide for the proper exercise of these authorities.

f) He shall be Chairman of the Agenda Committee.

g) He shall send copies of the minutes of all meetings to the Chairman of the Board of Trustees, the President of the College, the Dean of Student Personnel, the President of Student Government, the College Library and Archives. He shall also adopt appropriate means to inform the faculty and student body of the Council's action.

h) He shall communicate in writing the final resolutions of the Council to the Board of Trustees or its designee, in accordance with the Council procedures for enactment of legislation.

i) He shall provide for the official address and the business office of the Council.

4. Secretary-Treasurer

a) The Secretary-Treasurer shall keep the minutes of all meetings. He shall have custody of said minutes as part of the records of the Council.

b) He shall send copies of the minutes of all meetings to the Executive Secretary. Included as part of the report will be a summary of each meeting and it shall include all resolutions adopted by the Council.

c) All monies payable to the Council shall be turned over to the Secretary-Treasurer. He shall make and keep proper records of all such monies received and deposit same in the name of the Council in the designated depository. He shall report thereon when necessary.

d) He shall prepare a budget for the Council for submission and approval by the proper authorities of the College.

e) He shall be charged with the administration of the budget, and request for funds or disbursements shall bear his signature.

D. Standing Committees

The following standing committees of the Academic Council are established. The term of office for committee members is one year.

1. The Agenda Committee shall consist of the Council President, Vice President, and Executive Secretary. The Agenda Committee shall determine the order of business for regularly scheduled meetings of the Council. The Agenda Committee shall communicate such information in accordance with the procedures set forth in the Constitution and By-laws of the Council.

2. The Nominating Committee shall consist of three members of the teaching faculty to be elected by the Council. No Council member eligible for re-election to the Council that year may serve on the Nominating Committee. The Nominating Committee shall perform those duties prescribed in the Constitution of the Academic Council.

3. The Election Committee shall consist of three members to be appointed by the Council President. The Election Committee shall perform those duties prescribed in the Constitution of the Academic Council and shall supervise other appropriate faculty elections.

E. Meetings

The Council shall regularly meet at least twice a semester; the regular meetings to be called by the Executive Secretary.

The President of the Council may at his discretion call a special meeting, and he must call a special meeting at the written petition of seven members of the Council. Within two days after receipt of said petition, the President

shall send notice of the special meeting and its subject matter to all members of the Council and all department chairmen. The special meeting must be held within a period not less than five days and not more than fifteen days after notice has been sent. Chairmen who wish to speak, personally or through a delegate, must give written notice of their intention to the Council President at least one day before the special meeting.

Only the subject matter for which the meeting is called may be considered at a special meeting.

Notice of intention to speak at either a regular or a special meeting must always be in writing, and shall be delivered to the President at the council office.

All meetings shall be closed unless specified as open by the membership at a previous meeting or by the agenda committee in the announcement of the meeting.

F. Quorum

A quorum shall consist of a majority of the membership (12) of the Academic Counci.

G. Resolutions of the Council

1. In the areas in which primary and joint authority are delegated to the Council, resolutions shall be deemed approved when passed by a majority of the total membership of the Council.

2. In areas of consultative authority in which the Council initiates a proposal, resolutions shall be deemed approved when passed by a majority of Council members present and voting.

H. Specification of Number of Days as Required by Council Document

The Academic Council shall send the agenda for each regularly scheduled meeting to all members of the Council and all department chairmen fourteen days before each meeting, and copies shall be posted for faculty and students. Notice of special meetings shall be transmitted according to the provision for said meetings in the Council By-laws.

Department chairmen have the right to speak before the Council on any matter in the agenda which may affect their department. A department chairman, may if he wishes, designate a faculty member to speak in his place. Notice must be given to the Council President of the intention to speak before the Council and of the item of the agenda to be spoken on, five days before the meeting.

A summary of each meeting shall be sent to each member of the faculty within seven days after each meeting and shall include all rules adopted by the Council. Likewise, copies of the summary shall be posted for students. Complete minutes of the Academic Council meetings shall be made available in the library and maintained in the College Archives.

I. Amendments

A proposed amendment to the Council By-laws may be placed on the agenda for discussion at a regularly scheduled or special meeting of the Council. At the next meeting the proposed amendment may be voted upon. A two-thirds vote of the total membership (16) shall be required for passage.

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Appendix B

LE MOYNE COLLEGE

C O N S T I T U T I O N

of the

S T U D E N T L I F E C O U N C I L

Approved by Board of Trustees: September 12, 1969

Amended August 17, 1971

I. ESTABLISHMENT OF A STUDENT LIFE COUNCIL

WHEREAS, Le Moyne College's commitment to discover new avenues for the achievement of educational objectives encompassing all aspects of college life outside the instructional sphere calls for a fuller and more active participation by its Trustees, teaching and administrative faculty and students in this discovery; and

WHEREAS, this participation should be in the nature of shared responsibility among the aforementioned; and

WHEREAS, this sharing of responsibility should be determined by the competence of the appropriate body in relation to various aspects of student life under consideration; and

WHEREAS, it is essential that this sharing of authority be exercised responsibly in the light of Le Moyne's development of the tradition of Jesuit liberal arts education, and in the light of the College's financial well-being;

NOW, THEREFORE, there is hereby established a Student Life Council for the purpose of effecting the aforementioned sharing of responsibility by all segments of the Le Moyne College community. This Council shall have the powers hereinafter delegated to make broad policy with discretion and latitude left to the administration as to the means and manner of its implementation.

A. Definition of Terms

1. Primary Authority -- Full and complete authority delegated by the Trustees of the College and exercised in accordance with the procedures hereinafter mentioned, the Charter and By-Laws and Statutes of Le Moyne College and the rules and regulations of the State of New York.

2. Consultative Authority -- Authority to initiate and discuss proposals with the Trustees, the President, and appropriate administrative officers, and the correlative duty on the part of these parties to consult the Council with respect to their proposals in the area outlined below.

B. Powers of the Student Life Council

1. Primary authority and responsibility to determine College policies for student life outside the instructional area, except in those matters where the responsibility or authority is vested in Student Government.

2. Primary authority and responsibility to establish judicial procedures regarding students involved in disciplinary action, subject to the provisions of the document entitled "Maintenance of Public Order."

3. Primary authority and responsibility to establish overall College policy for residence halls.

4. Primary authority to establish rules governing particular residence halls; this authority, however, shall be habitually subdelegated to the council of the respective residence hall and the appropriate administrator, to be exercised by their mutual agreement. In the event that such agreement is lacking, the Student Life Council shall exercise its authority in the matter.

5. Primary authority to name a voting member from the faculty or student body to serve as the Student Life Council's representative on the Long-Range Planning Committee of the College.

6. Primary authority and responsibility for those parts of the Student Handbook which deal with policies established by the Student Life Council.

7. Consultative authority in deciding what material shall be included in the Student Handbook other than specified in number 6.

8. Consultative authority to the President of the College in the selection of candidates for the offices of Dean of Student Personnel, Dean of Men, and Dean of Women.

C. Composition of the Student Life Council

The Student Life Council shall be composed of eighteen (18) members to be selected in the following manner:

1. Three (3) members of the teaching faculty, to be elected by the teaching faculty at large. Procedures for nomination and election shall be determined by the Academic Council.

2. Eight (8) students, elected at large by the student body. They are to be elected each spring. Procedures for nominations and election shall be determined by Student Government.

3. Six (6) representatives of the administration: The Dean of Student Personnel, Academic Dean, Dean of Men, Dean of Women, and College Chaplain shall be members ex officio. One (1) further member of the administrative or teaching faculty shall be appointed by the President of the College.

The President of Student Government shall be a member ex officio.

D. Officers of the Student Life Council

The offices of the Student Life Council shall be those of Chairman, Vice-Chairman, and Executive Secretary. The Chairman and Vice-Chairman shall be elected for a term of one (1) year by the membership at the first meeting of the Council each year. The office of Executive Secretary shall be filled by the Dean of Student Personnel, who shall also serve as Chairman of the Agenda Committee. The duties of these officers shall be described in the By-Laws of the Student Life Council.

E. Term of Office

The term of office shall begin on June 1 and end on May 31. Faculty members and students shall be elected for a term of one (1) year and may be elected for more than a single term. If a vacancy occurs during the term of office, a special election shall be held to fill the unexpired term. The Student Life Council shall establish procedures for special elections in its By-Laws.

F. Recall

The Student Life Council shall establish procedures in concurrence with the Academic Council for the recall of faculty representatives by the faculty, and in concurrence with Student Government for the recall of students by the students. These procedures shall be incorporated into the By-Laws of the Student Life Council.

G. Meetings

The Student Life Council shall meet at least four (4) times a semester, and provisions for additional special meetings shall be made in its By-Laws. Minutes of its meetings shall be submitted to the Chairman of the Board of Trustees, the President of the College, the President of Student Government, and all members of the Student Life Council. Copies of the minutes shall be posted on the appropriate faculty and student bulletin boards. Whenever possible, meetings will be open to all members of the Le Moyne community.

H. Boards and Committees

The Council shall have the power to create any standing and/or temporary boards or committees as are required to investigate the necessity for legislation or to aid the Council in the discharge of its responsibilities. The duties of the standing committees shall be described in the By-Laws of the Council.

I. Procedures for the Enactment of Legislation

In those areas in which primary authority and responsibility is delegated to the Student Life Council, final resolutions of the Council formulating new policy shall be transmitted in writing within twenty-four (24) hours to the Board of Trustees or to its duly authorized designee. The Board or its designee shall consider such resolutions within thirty (30) days. If no response is made within 30 days, the resolution shall be deemed approved and shall take effect. If an affirmative response is made within said period, the resolution shall take effect as soon as this response is received by the Council or its Executive Secretary. If the resolution is rejected by the Board or its designee, written rejection and reasons therefore shall be transmitted to the Student Life Council within 30 days. In those cases in which the response is negative, the Student Life Council shall reconsider its resolution in the light of the reasons for rejection given by the Board or its designee. The Council may then by a majority vote to resubmit the resolution with written arguments to the Board or its designee. The rules set forth in the preceding paragraph shall apply to cases of resubmission.

In the event that a resubmitted resolution is again rejected, the Student Life Council upon receiving notice thereof may, by a vote of 2/3 of its members, submit the same resolution to the full Board of Trustees for final disposition. In such cases, the Student Life Council shall have the right to have three (3) elected representatives appear at a meeting of the Board of Trustees and orally present arguments in favor of the Council's proposal. Should there be no regular meeting of the Board of Trustees scheduled within thirty (30) days of the Council's decision to submit its previously rejected resolution to the Board, a special meeting shall be convened within said time period to consider the resolution in question. The Board of Trustees shall announce a final decision on the matter within five (5) days after the presentation of arguments by representatives of the Council.

J. Rules, By-Laws, and Amendments

The Student Life Council shall establish its own By-Laws and rules of procedure and operation.

Amendments to this Constitution shall be made in the following manner: A proposed amendment shall be submitted by a member of the Council at a Council meeting. At the next meeting of the Council, a two-thirds majority of the Council members must approve the amendment for passage. An amendment so passed can only be adopted after it has been approved in a referendum by a majority of the student body voting on the issue, and after it has been approved by the Board of Trustees.

In recognition of the responsibilities vested in the Trustees by the Charter of the College, this Constitution can also be changed, altered, modified, or revoked, by resolution of the Board of Trustees.

BY-LAWS OF THE STUDENT LIFE COUNCIL

A. Rules of Order

Unless otherwise specified in the Constitution and By-Laws of the Student Life Council, Robert's Rules of Order Revised shall govern all proceedings.

B. Elected Officers of the Council

The Chairman, Vice-Chairman, and Recorder are the elected officers of the Council. The term for the Chairman and for the Vice-Chairman shall be one academic year and, for the Recorder, one academic semester. Elections for Chairman and Vice-Chairman shall be held at the first regular Fall meeting and the term of these offices shall extend from the time of election until May 31 of the following year. The election for Recorder shall be held at the first regular meeting of each semester and the term for this office shall extend from the time of election until the end of that semester. All elections shall be determined by a majority vote of the total membership.

C. Duties of the Officers

1. Chairman

a) The Chairman shall be the presiding officer at all meetings of the Council. (....he shall preserve proper order therein, enforce due observance of the Constitution and By-Laws, decide all questions of order without debate, and he shall see that all officers perform their respective duties faithfully....SEE ROBERT'S RULES.)

b) He shall appoint from the Council membership all committees deemed necessary for the proper function of the Council, except as otherwise provided for in these By-Laws.

c) He shall be a member of the Agenda Committee of the Council, and ex officio member of all other committees.

d) He shall convene special meetings as stipulated in these By-Laws.

2. Vice-Chairman

a) The Vice-Chairman shall preside at all meetings in the absence of the Chairman, and he shall perform such other functions as are delegated by the Chairman.

b) He shall be a member of the Agenda Committee of the Council.

3. Executive Secretary

a) The Dean of Student Personnel shall be the Executive Secretary of the Council.

b) He shall call all regular meetings of the Council.

c) He shall serve as Acting Chairman from May 31 of each year until the election of new officers at the first regular Fall meeting.

d) He shall, upon request of the Council, recommend to the appropriate administrative officer the appointment of such additional officials, committees, and advisors, as may be useful and necessary to the deliberation and policy decisions of the Council in the area of primary authority.

e) As a member of the Administration and an active participant in the deliberation and consideration of matters of consultative authority, he shall help structure the proper relationships to provide for the proper exercise of this authority.

f) He shall be Chairman of the Agenda Committee.

g) He shall send copies of the minutes of all meetings to the Chairman of the Board of Trustees, the President of the College, the President of the Student Government, the College Library and Archives,

and all members of the Student Life Council. He shall also have copies of the minutes posted on the appropriate faculty and student bulletin boards.

h) He shall communicate in writing the final resolutions of the Council to the Board of Trustees or its designee, in accordance with the Council procedures for enactment of legislation.

i) He shall provide for the official address and the business office of the Council.

j) He shall prepare a budget for the Council for submission and approval by the proper authorities of the College.

k) He shall be charged with the administration of the budget, and request for funds or disbursements shall bear his signature.

4. Recorder

a) The Recorder shall be responsible for keeping the minutes of all meetings. He shall have custody of said minutes as part of the records of the Council.

b) He shall send copies of the minutes of all meetings to the Executive Secretary. Included as part of the report will be a summary of each meeting, which shall include all resolutions adopted by the Council.

D. Special Election

In the event of a vacancy on the Student Life Council, the Council through its chairman will notify in writing the appropriate selecting agency, which agency shall provide for a successor within ten class days of notification.

E. Standing Committees

The following standing committees of the Student Life Council are established. The term of office for committee members is one academic year:

1. The Agenda Committee shall consist of the Council Chairman, Vice-Chairman, and Executive Secretary. If neither the Chairman nor the Vice-Chairman is a student, a fourth member who must be a student must be elected at the first Fall meeting by a majority of the membership to serve on the Agenda Committee for that specific year. The Agenda Committee shall determine the order of business for regularly scheduled meetings of the Council. The Agenda Committee shall communicate such information in accordance with the procedures set forth in the Constitution and By-Laws of the Council. Only members of the Student Life Council may propose topics for the agenda to the Agenda Committee.

F. Meetings

1. The Council shall regularly meet at least four times a semester, the regular meetings to be called by the Executive Secretary.

2. The Chairman of the Council may at his discretion call a special meeting, and he must call a special meeting at the written petition of three members of the Council. Within two class days after receipt of said petition, the Chairman shall send notice of the special meeting and its subject matter to all members of the Council. The special meeting must be held within a period not less than five class days and not more than ten class days after notice has been sent.

3. Only the subject matter for which the meeting is called may be considered at a special meeting. It shall be a closed meeting only by unanimous decision of the petitioners.

4. All regular meetings will be open unless otherwise specified by a majority of the membership at a previous meeting.

5. Due to the nature of the Council, any member of the Le Moyne Community may attend an open meeting, but only members of the Council may participate in discussion.

G. Quorum

Quorum shall consist of twelve (12) members of the Student Life Council.

H. Resolutions of the Council

Resolutions of the Council in the areas of primary and consultative authority shall be deemed approved when passed by a majority of the total membership of the Council.

I. Disposition of the Minutes and Summaries

The minutes and summary of each meeting shall be sent to the various recipients and posted on the proper bulletin boards, as provided in the Council Document, within 4 class days after each meeting, and shall include all resolutions and rules adopted by the Council.

Copies of the minutes of the Student Life Council shall be made available in the library and the office of the executive secretary and maintained in the College archives.

J. Amendments

A proposed amendment to the Council By-Laws may be placed on the agenda for discussion at a regularly scheduled or special meeting of the Council. At the next meeting, the proposed amendment may be voted upon. A two-thirds vote of the total membership (12) shall be required for passage.

III. ESTABLISHMENT OF A LE MOYNE COLLEGE JUDICIAL BOARD

The Judicial Board shall have authority to sit as a disciplinary committee in all cases involving offenses in which the potential sanction for

the violation of a College rule is suspension or dismissal. In all cases involving possible suspension or dismissal, the student shall have an option to appear before the Dean of Student Personnel or the Board.

A. The preliminary decision that an alleged offense is serious enough to warrant possible suspension or dismissal will be made by the Dean of Men or the Dean of Women. If it is decided that the case is this serious, the student will be informed of his right to opt for a handling of the case either by the Dean of Student Personnel or the Board. If the Dean of Student Personnel is counseling the accused or involved person, or if the person is contesting the charges that have been presented, then the Dean of Student Personnel may exercise his right not to hear the case. When a student elects to have his case decided by the Board, he may request that the student members of the Board not sit in his case.

B. The composition of the Board shall be as follows:

1. The Academic Dean, the Dean of Men or Dean of Women or alternates selected by the Dean of Student Personnel, and the Dean of Student Personnel shall be ex-officio;

2. Three (3) students to be selected from a "pool" list to be drawn up by the President of Student Government at the beginning of each academic year subject to the approval of S.G.A.;

3. Two (2) faculty members to be selected by the Academic Dean. The Dean of Student Personnel shall convene the meeting and serve as the Chairman. The administrator who determines that a hearing shall be held will be required to present evidence before the Board but will not be eligible to sit in judgment.

C. Decisions of the Board which find that a student has violated a rule and/or that impose a sanction must be by a 2/3 majority vote of those participating in the hearing. If the Board determines that there has been a violation of a rule and decides against suspending or dismissing the student, the Board then retains the option of imposing a lesser sanction.

D. Disciplinary Sanctions -- Suspension and expulsion are severe sanctions which should be used only in cases where there is a serious or persistent violation of the written student conduct rules. Students should not be suspended temporarily within a given semester. The Board may choose lesser sanctions which it deems appropriate. Examples of lesser sanctions are: disciplinary probation in which the conditions of the probation may be established by the Board for enforcement by the Dean of Men or the Dean of Women; fines; work projects; and denial of certain privileges.

E. In all decisions of the Board, there shall be a right of appeal to the President of the College. The appeal must be in writing and must be based on (1) questions of improper procedure (2) new evidence uncovered after the hearing. When the President of the College receives an appeal, he has three options:

1. To reverse the decision of the Board

2. To request another hearing by the Board

3. To refuse to hear the case if in his judgment there are no questions of improper procedure or if no new evidence has been presented.

F. The Board will not sit as an appeals court reviewing cases of either major (i.e., suspension or dismissal as a sanction) or minor offenses adjudicated by deans (i.e., Dean of Student Personnel, Dean of Men, Dean of Women). Minor disciplinary cases (those not involving a possible sanction of suspension or dismissal) will be handled routinely by the Dean of Men or the Dean of Women or their committees (e.g., Residence Hall Councils, etc.). Appeals from these decisions can be made to the Dean of Student Personnel. In major disciplinary cases where the student has opted for a handling of his case by the Dean of Student Personnel, instead of the College Judicial Board, the Dean of Student Personnel is, of course, free to consult with anyone whom he chooses. Appeal from the Dean of Student Personnel's decision in such cases can be made only to the President of the College.

G. Minutes shall be taken by a member of the Board at each Judicial Board hearing. They shall be kept confidential in the files of the Dean of Student Personnel.

H. Due Process

In order to guarantee that decisions in disciplinary cases will meet essential standards of fair play and, equally important, in order that students involved in such cases will realize that their case has been processed in a fair and judicious manner, the procedural guarantees listed below shall be applied. These guarantees are not meant to imply that student disciplinary cases are analogous to adversary legal proceedings in the civil courts. Serious disregard for any of these guarantees will constitute grounds for an appeal.

1. A student accused of violating a College rule shall be notified of the specific charge against him before his case is considered. In cases involving possible suspension or dismissal, the notification shall be in writing and shall indicate the availability of the option to appear before the Dean of Student Personnel or the Board. The notice shall also inform the student of his right to assistance in his behalf. Subsequently, the student shall be notified of the time and place where the case is to be heard.

2. The student shall have an opportunity to prepare his case and to be represented by a person of his choice.

3. The student shall be free from disciplinary sanction pending the conclusion of his hearing. However, where the nature of the case indicates that there is a danger to the immediate well-being of the College community, appropriate interim measures may be taken by the Dean of Men or the Dean of Women.

4. The student shall be apprised of all evidence pertinent to the case, including written complaints.

5. The student shall have an opportunity to present witnesses in his behalf.

6. The student shall have his case heard within a reasonable amount of time.

It is assumed that in most minor disciplinary cases, the guarantees numbered (2) through (6) will be implemented with a minimum degree of formality. But in all cases, it is essential that fair play guarantees should be available to the student, providing him with an opportunity to defend himself against the charge of misconduct.

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Appendix C

LE MOYNE COLLEGE

C O N S T I T U T I O N

of the

THE RIGHT OF DEMONSTRATION, ASSEMBLY AND PROTEST: MAINTENANCE OF PUBLIC ORDER

July 20, 1969

THE RIGHT OF DEMONSTRATION, ASSEMBLY AND PROTEST:

MAINTENANCE OF PUBLIC ORDER

Le Moyne College holds the principles that (1) the role of education is not to present safe ideas but to make students safe for ideas, and (2) that free movement of individuals is an essential and inseparable aspect of the free movement of ideas. Therefore, to stage entirely peaceful and non-disruptive protests against individual comings and goings, either against an individual as such, or against an individual as symbol of disapproved activities or organizations, is an aspect of the freedom of students and citizens. On the other hand, to obstruct such individuals and interfere with their movements or their discussions is an unjustified interference with their freedom, with that of the College, and that of students and faculty who wish to converse with them or to hear them.

If anyone or any group obstructs the officially sponsored activities of the College, if anyone or any group interferes with the maintenance of public order on the campus, if anyone or any group substitutes force for rational, orderly persuasion, they will be dealt with accordingly by College officials.

All College rules and regulations that relate to the public order are applicable to students, faculty and staff, as well as to any visitor, licensee or invitee on the campus.

I. SPECIFIC PROCEDURES

A. Non-Violent, Peaceful Assembly

Such assemblies or demonstrations that might occur in this category could possibly lead to a disruption of the activity on campus and the rights of the members of the community. The degree and actual fact of disruption will be decided by the highest ranking administrative official present.

If it is determined that a disruption of College activity or a threat to the public order has occurred, then the following steps will be taken in order:

1. The participants will be informed of the specific nature of their violation and asked to cease and desist immediately. The participants will be asked to present their College Identification Cards. If they have none to present, they will be told that they are trespassers and will be treated as such by legal authorities, if the disruption does not stop immediately.

2. If the disruption stops, all student participants will be told to appear before a hearing of the Student Life Conduct Board.

3. If the disruption continues after the warning, the College has two options, either:

a) The Board of Trustees of the College, or its designee, will ask for a court injunction ordering cessation of such trespass and/or disorderly conduct. When the injunction is secured, local law authorities will serve the injunction and treat all persons who fail to obey said injunction as violators of the civil law; or

b) Police will be called immediately and asked to stop the disruption with a minimum use of force.

4. If an injunction is secured, or if the police are called, and after the immediate problem is disposed of, the student participants will be required to appear before the Student Life Conduct Board to answer to charges of violation of College Policy.

B. Violent Disruption

If any individual or any group disrupts the normal activities of the College and, in addition, causes damage to property or harm to another, or if such violent activity is imminent and/or in progress, the following steps will be taken in the following manner:

1. A warning to cease and desist will be given immediately by the highest ranking administrative official present. All participants will be asked to surrender their Identification Cards.

2. Those students who cease and desist, who surrender their Identification Cards as instructed, and who leave the scene as instructed, will be required to appear before the Student Life Conduct Board to answer to charges of violation of College Policy. Those who do not have, or will not produce, Identification Cards, will be treated as trespassers and charged with violation of the law that might occur.

3. If the disruption continues after a warning, the local police authorities will be called and asked to bring order to the campus with a minimum use of force. At this stage, all participants will be treated equally as trespassers and charged with violations of the law that might occur.

II. PENALTIES - HEARINGS

A. Student Life Conduct Board

The Student Life Conduct Board is the officially recognized agency to hear and to decide upon major student disciplinary cases. It is composed of four administrative faculty members, two teaching faculty members, and three students.

Decisions in the case of a mass disturbance can range from disciplinary probation, fines, suspension, indefinite suspension (expulsion), or a combina-

tion of the above. Decisions of this committee can be appealed to the President of the College, who can reduce but not increase the sentence.

It should be made clear that students who are arrested as a result of participation in a mass disturbance must also appear before the Student Life Conduct Board. This is not a case of double jeopardy. The arrest and subsequent civil hearing is a result of an infraction of civil law. The Student Life Conduct Board hearing is a result of a violation of College Policy.

All Student Life Conduct Board hearings are charged with the total responsibility of providing due process to student offenders.

B. Faculty Hearings - Penalties

For any faculty member involved in any type of disruptive activity mentioned above, the Administration shall initiate disciplinary proceedings pursuant to the following regulations:

1. In cases of a charge of disruption in violation of College rules regarding maintenance of public order, the faculty member will be required to submit to a hearing concerning said charges, before a committee of five tenured faculty members, two of whom are chosen by the College, two by himself, and the fifth by agreement of the four thus chosen. The faculty member shall be entitled to be furnished with a written statement of reasons for the charges and the facts upon which they are based, at least two weeks before his hearing. The faculty member shall be entitled to be represented at said hearing by a person of his own choice. The faculty member shall have the opportunity to call witnesses and offer evidence on his behalf and to cross-examine witnesses against him. There shall be a stenographic record kept of the hearing.

2. The hearing committee shall submit its findings and recommendations to the Board of Trustees of the College. The Trustees shall make the final decision, and the responsibility of this decision shall be soley that of the Trustees.

3. Penalties imposed upon faculty members will range from official reprimand and suspension, with or without pay, to dismissal.

III. AMENDMENTS

These policies and procedures shall remain in effect unless and until amended by the Board of Trustees of Le Moyne College.

Amendments may also be proposed by the Academic Council, by the Student Life Council, or by the President of the College. Such proposed amendments shall be submitted in writing, together with a justifying explanation, to the Board of Trustees through the Office of the President of the College. Copies of such proposals shall be sent by the originating party to the Chairman of the Academic Council and of the Student Life Council. Proposed amendments shall be dealt with by the Board of Trustees according to its established procedures.

GLOSSARY

Administrative Personnel, for the purpose of policy enforcement, are ranked in the following order:

The President

The Academic Dean

The Dean of Student Personnel

The Dean of Men

The Dean of Women

The Assistant Dean of Men

The Director of Student Residence Halls

The Director of Admissions

A disruption of public order, as understood at Le Moyne College, is:

> Any action, or incitement to action, or provocation, which interferes significantly with College operations, interferes with the movement of individuals, or the free expression of ideas by others, or restraint by physical force, or any act that would legally constitute disorderly conduct or disturbance of the peace.